

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, ) 4:04CR3158  
                              )  
Plaintiff,                 )  
                              )  
vs.                         ) **MEMORANDUM**  
                              ) **AND ORDER**  
JACQUELYN SUE SHIVELEY, )  
                              )  
Defendant.                 )

On the oral motion of the government, and with the agreement of the defendant,

IT IS ORDERED that:

- (1) The hearing on the government's motion for reduction of sentence pursuant to Rule 35(b) (filing 88) has been reset before the undersigned United States district judge to Tuesday, December 19, 2006, at 4:30 p.m., in Courtroom No. 1, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska.
- (2) At the request of the defendant through her counsel, and with the agreement of the government, the defendant may be absent from the hearing on the Rule 35 motion.
- (3) The Marshal is directed not to return the defendant to the district.
- (4) The defendant is held to have waived her right to be present.

December 6, 2006.

BY THE COURT:

s/ *Richard G. Kopf*  
United States District Judge